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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

MANJIT SINGH BRAR,

Petitioner,

v.

ERIC H. HOLDER Jr., Attorney General,

Respondent.

No. 07-70361

Agency No. A047-410-192

MEMORANDUM *

On Petition for Review of an Order of the
Board of Immigration Appeals

Submitted December 15, 2009**

Before: WALLACE, GOODWIN, and CLIFTON, Circuit Judges.

Manjit Singh Brar, a native and citizen of India, petitions for review of the Board of Immigration Appeals' order dismissing his appeal from an immigration judge's ("IJ") removal order. We have jurisdiction under 8 U.S.C. § 1252. We

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

** The panel unanimously concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

review for substantial evidence the IJ's factual findings, *Damon v. Ashcroft*, 360 F.3d 1084, 1088 (9th Cir. 2004), and for abuse of discretion the denial of a request for a continuance, *Biwot v. Gonzales*, 403 F.3d 1094, 1099 (9th Cir. 2005). We deny the petition for review.

Substantial evidence supports the agency's determination that Brar's marriage was not bona fide where Brar's citizen-spouse testified she married Brar for immigration purposes, she received \$15,000 for marrying him and the couple never resided together. *See Damon*, 360 F.3d at 1089 (test for a bona fide marriage is whether the couple intended to establish a life together at the time they were married); *see also Bark v. INS*, 511 F.2d 1200, 1201-02 (9th Cir. 1975) (conduct of parties after marriage is relevant to show intent at time of marriage).

The IJ did not abuse his discretion in denying Brar a continuance. *See De la Cruz v. INS*, 951 F.2d 226, 229 (9th Cir. 1991) (no error in denying continuance where alien was ineligible for relief sought).

Brar's remaining contentions are unpersuasive.

PETITION FOR REVIEW DENIED.